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Mr. HATFIELD. Mr. Specter's amendment has to do with EDA funds for a town in Pennsylvania.

Mr. BYRD. I have one other by Mr. Zorinsky, on research.

Mr. DOLE. Mr. President, I ask unanimous consent that these be the only amendments in order to H.R. 4515.

The PRESIDING OFFICER. Is there objection?

Mr. BOREN. Mr. President, reserving the right to object, and I will not object, I wonder if the majority leader will yield briefly.

I have listed an amendment on campaign reform dealing with political action committees. The majority leader and I were discussing this in good faith, to try to determine a time to bring up S. 655. The majority leader will agree that we have had good faith negotiations on that, and we will try to bring it up at a reasonable time within the schedule.

Mr. DOLE. The Senator is correct. We are discussing different options.

Mr. BOREN. I am not trying to pin down the majority leader, but we discussed bringing up S. 655 for consideration at least before the end of July.

Mr. DOLE. That is correct.

Mr. BOREN. I would like to start a process which I hope will be a helpful process and ask that my amendment be stricken from this list, in light of the majority leader working in good faith with us.

Mr. DOLE. I appreciate the cooperation of the distinguished Senator. That is one less.

In addition to saying that no other amendments be in order, may I also include that no points of order be waived in connection with this agreement.

Mr. BYRD. Reserving the right to object, I was going to inquire about that.

It is understood that these amendments having been enumerated as the only amendments to be offered, no second-degree amendments, whether or not germane, would be in order?

Mr. DOLE. Except that I think there are two stipulated. Mr. Thurmond has a UDAG amendment in the second degree to the Garn amendment on FHA, and Mr. Kasten has a second-degree amendment to Mr. Grassley's amendment dealing with transferring to dairy.

Mr. BYRD. Let me rephrase my suggestion: that inasmuch as these are the only amendments that can be offered, they may be offered either in the first degree or the second degree.

Mr. DOLE. The Senator is correct.

Mr. BYRD. May I make on further inquiry: What about the Armed Services appropriations?

Mr. HATFIELD. That is going to be taken up immediately.

Mr. NUNN. I see no reason why that cannot be resolved this evening.

Mr. DOLE. We are going to do that this evening.

Mr. STEVENS. Mr. President, will the majority leader yield for a ques-

tion concerning the minority leader's remarks?

Mr. DOLE. I yield.

Mr. STEVENS. Often it is necessary to ask a Member to modify his amendment in order that we might accept it. The minority leader is not suggesting that that cannot be done in this process?

Mr. BYRD. No. I think a Senator should be allowed to modify, so long as the modification comes within the identification as set forth in the Record.

Mr. DOLE. That would be my understanding.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. BYRD. May I add one possible amendment by myself, which would not require more than 5 minutes.

Mr. NUNN. I believe it has been taken care of.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered.

Mr. DOLE. Mr. President, I thank my colleagues on both sides. That does not limit the scope of action of the managers. There might have been three or four more. But it does help.

As I understand it, the Senator is now prepared to go to the last committee amendment, plus amendments that will be accepted.

Mr. HATFIELD. Mr. President, we will now complete the committee amendment. I do not think it will require a rollcall.

Mr. STEVENS. The Senator is correct.

Mr. HATFIELD. When we dispose of that last committee amendment, I urge Members who know they have an amendment that does not require a rollcall to remain, for we will remain here to complete as many of these amendments as possible. We cannot complete these amendments if we wait until tomorrow, by starting with No. 1 of the 50. But we want to complete as many as possible tonight—maybe 20—that will not require rollcall votes. So will those Members please remain.

There will be a much better attitude tonight in accepting some of these amendments if we get a little sleep and come back tomorrow.

Mr. BYRD. Mr. President, does the majority leader indicate that there will be no more rollcall votes?

Mr. DOLE. We will probably be on the bill at 9 o'clock in the morning. There will be no more rollcall votes tonight.

Mr. JOHNSTON. Mr. President, I urge all colleagues who have amendments to please get copies of the amendments to us as soon as possible, so that we may be ready to deal with those amendments expeditiously.

□ 0120

The PRESIDING OFFICER. The Senate will be in order. The Senate will be in order.

Senators please clear the aisle.

Further amendments are ready to be proposed and the Senate cannot continue until the Senate is in order.

The Senate please be in order.

The Senate is still not in order. Those who are in the aisles please retire to their seats or proceed to the cloakroom.

The Senate has not come to order.

The Senator from Arizona.

Mr. GOLDWATER. Mr. President, many, many hours ago the chairman of the committee asked if we would meet to try to reach an agreement with the Senator from Alaska relative to amendment 8019, which we were attempting to strike.

Mr. President, we have reached an agreement. The committee has met for hours today and staff worked more hours.

## AMENDMENT NO. 3023

Mr. GOLDWATER. Mr. President, I send to the desk an amendment and ask that it be reported.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. Goldwater] proposes an amendment numbered 3023.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 26, strike out lines 1 and 2 and insert in lieu thereof the following:

## "CHAPTER III A"

## "AUTHORIZATION OF CERTAIN UNAUTHORIZED APPROPRIATIONS"

## "SEC. 1. AUTHORIZATION OF CERTAIN UNAUTHORIZED FISCAL YEAR 1986 APPROPRIATIONS"

Except as otherwise provided in this chapter, funds appropriated or otherwise made available to or for the use of the Department of Defense by the Department of Defense Appropriation Act, 1986 (as contained in section 101(b) of Public Law 99-190), and which were not otherwise authorized by law, are authorized to be obligated and expended as provided in such Act.

## "SEC. 2. PROHIBITION AND LIMITATION ON OBLIGATION OF FUNDS FOR CERTAIN PURPOSES"

MARINER FUND.—Of the funds appropriated or made available by the Department of Defense Appropriation Act, 1986, none shall be available for construction of commercial type vessels, with or without military specifications, for lease to private shipping concerns under the Mariner Fund or any other program.

## "SEC. 3. AUTHORIZATION FOR OBLIGATION OF CERTAIN UNOBLIGATED FUNDS"

Of the funds appropriated by the Department of Defense Appropriations Act, 1986 (as contained in section 101(b) of Public Law 99-190), but which may not be obligated or expended for the purposes for which appropriated by virtue of section 2 of this chapter, and of the funds made available for obligation and expenditure from prior year unobligated balances by section 8103 of the Department of Defense Appropriation Act, 1986, the following amounts are authorized to be obligated and expended for the stated purposes:

(1) For military pay, \$1,599,600,000;

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(2) Per military retirement accrual payments, \$2,186,000,000;

(3) For Coastal Defense Augmentation, \$140,000,000;

(4) For the Expendable Launch Vehicle Program, \$1,498,688,000;

(5) Any amounts remaining available from such funds shall be available for readiness and for other purposes, including funds authorized for obligation and expenditure for purposes listed in clauses (1), (2), (3), and (4) not otherwise required for such purposes.

#### SEC. 4. REVISION OR REPEAL OF CERTAIN PROVISIONS OF PUBLIC LAW 99-190.

(a) **AIR DEFENSE AIRCRAFT COMPETITION.**—The paragraph under the heading "Aircraft Procurement, Air Force" in title III of the Department of Defense Appropriations Act, 1986 (as contained in section 101(b) of Public Law 99-190), is amended—

(1) by striking out "of which \$200,000,000 shall be available only to initiate the air defense aircraft competition authorized by law" in the matter preceding the first proviso; and

(b) **REVISION OF CONTRACTING OUT PROVISION.**—Section 8089 of such Act is amended by striking out "ten" and inserting in lieu thereof "40".

#### SEC. 5. REMOVAL OF CERTAIN LIMITATION ON THE F-3 AIRCRAFT.

Funds made available for the procurement of F-3 aircraft for the Navy for fiscal year 1986 may be used for procurement of such aircraft for the active or reserve forces of the Navy, as determined by the Secretary of the Navy.

#### SEC. 6. TEMPORARY WAIVER ON POLYGRAPH EXAMINATION LIMITATIONS.

In computing the number of counterintelligence polygraph examinations that may be conducted during fiscal year 1986 under section 1221 of the Department of Defense Authorization Act, 1986 (Public Law 99-145; 99 Stat. 736), there may be excluded from such computation any polygraph examination conducted during the period beginning on the date of the enactment of this Act and ending on September 30, 1986, if such examination—

(1) is conducted by the Air Force under an authorization granted by the Secretary of Defense on November 24, 1981; or

(2) is conducted under an authorization granted by the Secretary of Defense on August 31, 1982, and is conducted on a person who is participating in a national program—

(A) which has as its purpose the collection of specialized intelligence through reconnaissance;

(B) which is under the purview of the Director of Central Intelligence; and

(C) for which a polygraph examination was established on or before October 1, 1985, as a condition for participation in such program.

Mr. GOLDWATER. Mr. President, I ask that the amendment be accepted.

The PRESIDING OFFICER. Is there further debate?

The Senator from Alaska.

Mr. STEVENS. Mr. President, I thank the members of the Armed Services Committee now for having approached the subject of the moneys that we allocated under the appropriations process last year in a way that will make them available. We have worked out an agreement.

I will say to the Chair and to my good friend from Arizona and my good friend from Georgia that I interpret the effect of this amendment to be that it is the same as the amendment I

offered. What it says is that except for the specific projects that we have disapproved, the moneys that the Appropriations Committee made available are approved.

They are to be spent in accordance with an allocation that we had agreed upon previously, and the net effect of this is that we have yielded on the items that I mentioned before. Specifically, we have yielded on the \$200 million for the airborne tankers. We have yielded on the moneys that were earmarked for future authorization for the mariner. We have yielded on the F-46 which is really in another bill. And we have yielded on—

Mr. NUNN. Mr. President, the Senate is not in order and I am trying to hear the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Georgia is correct. The Senate is not in order.

Will those Senators who are conversing in the aisles and the back of the Chamber retire to the cloakrooms or to their desks? The Senate will not continue until the Senate is in order.

The Senators will retire to the cloakrooms or their desks and the staff members will retire to the back of the room.

The Senator from Alaska.

Mr. STEVENS. To continue, we have yielded on the timing of the competition for the air defense aircraft and the provision accomplishes the same result as the amendment I offered previously.

In connection with the Department of Defense Appropriation Act of 1986 the Appropriations Committee in effect created a suspense account for moneys that had been saved from prior years. Those moneys were specifically allocated to projects by the Appropriations Committee and the Armed Services Committee has disagreed with that.

Under this amendment, the moneys are specifically earmarked, first, for military pay a little over \$1.5 billion, military retirement accrual a little over \$2.1 billion, the coastal zone defense augmentation account, that is Coast Guard account, the Appropriations Committee created last year, we have shifted a portion of that suspense account, about a billion and a half dollars to the dispensable launch vehicle and we have stated that the remaining amounts will be available for readiness and other purposes including funds authorized for obligation and accounts for purposes listed in clauses 1, 2, 3, and 4, and the ones I just read.

The intent of this is that we will get together and provide a listing for how any amounts which may be available from that suspense account beyond those enumerated in paragraphs 1, 2, 3, and 4 that I just read and those will be worked out, and I think we have it worked out and we have an understanding between the Armed Services Committee and the Appropriations Committee on that matter in effect.

I think the list has not been totally agreed upon yet but we will agree upon it and I do not perceive any difficulty.

Mr. NUNN. Mr. President, will the Senator from Alaska yield on that point?

Mr. STEVENS. I am happy to.

Mr. NUNN. I will say from my perspective we have an understanding that we will hold over certain portions of funds and then we will seek either through authorization or appropriation, or both, and it needs to be both based on this general understanding precedent. We will then decide. It could be perhaps even reprogramming. But I think the staff can work on those numbers, but the Senators have not seen those numbers. So I think it is premature to have an agreement on that.

Mr. STEVENS. I agree with the Senator from Georgia. We have an agreement on the process by which we select the amounts and the programs or projects that those funds that would be remaining available from this suspense account will be allocated for either expenditure in 1986 or 1987 or years beyond.

I think the two committees understand where those funds are coming from. That is the main thing I want to make in this Record that we are talking about the funds that were contained in what I call the suspense account which was created by section 1803 of the Defense Appropriation Act of 1986.

Under the circumstances to me this represents now an agreement which carries out the intent and purpose of the agreement we entered last year in December 1985. So I want the Senate to know I am satisfied that we have done our best for the defense of the country and that the agreement we have entered into here does meet the needs of the Defense Appropriations Committee.

I call the attention of the Senate to the fact that there are items that were in the committee's reauthorization bill that we have incorporated now in this continuing resolution dealing with polygraphs and dealing with repeal of certain other limitations under the law that we have no objection to. They, basically, do not deal with funds. They deal with policy matters that originated with the authorization committee.

I thank my good friend from Arizona for his patience with me. I think we have an obligation to proceed to try and protect the programs that we have tried to make funds available for and above all—he is no longer with us right at this moment, but he has been with us all day and throughout this whole process—I want to tell the Senate that the steady hand in the process has been the hand of the Senator from Mississippi.

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□ 0130

He is the only one that is on both sides of the issue. Mr. President, he is on the Armed Services Committee and he is on the Appropriations Committee. That is no longer possible now under our rules. But, under his long tenure in the Senate, he has been grandfathered, literally, into that process.

And I say to the Senate that I am sorry to see the time when we have so few grandfathers, because he really has been the stabilizing factor on this issue and has brought us together time and time again.

I want to say, although it is very early in the morning, that I hope the Senate will take heed on what has happened and maybe reexamine some of the provisions that prevent this cross-pollination. We have a separate agreement we have entered into now as to how we will conduct ourselves in the future, what amounts to cross-pollination of the two committees. We are not allowed to serve, as the Senator from Mississippi does, on both committees. But we have now agreed that we will come into each other's committee deliberations, to get the Armed Services Committee involved with the appropriations process and the appropriators involved in the Armed Services process.

Prior Senate rules allowed that cross-pollination to occur in the Senate as Senator STEVENS does now.

Mr. COHEN. Will the Senator yield?

Mr. STEVENS. Yes.

Mr. COHEN. The Senator made reference to the informal agreement which has been arrived at. I just have a question to perhaps clarify some of the agreement.

In order to improve the working relationship within the Appropriations Committee and the Armed Services Committee, one of the items state the Appropriations Committee will resist proposals which have the effect of reversing or materially modifying policy matters already agreed to in a Senate-passed authorization bill.

The question I have is one of some ambiguity. If, for example, the Senate Armed Services Committee were to consider a program and to reject it, is that covered under that particular agreement, that materially modifying policy matters already agreed to in a Senate-passed authorization bill? If we consider something and do not necessarily agree to it but, in fact, consider it and reject it, is that covered by that paragraph?

Mr. STEVENS. Mr. President, we agreed to that concept I think that the Senator is mentioning that if the Armed Services Committee rejects the proposal, we will do our best to resist efforts to carry out such a proposal in the appropriations process. I will say this to my friend: We have had the unfortunate problem now for 4 years out of 5 of dealing with an appropriations process without an authorization bill. After the Senate has acted on the ap-

propriations bill, the Armed Services Committee has come back out of conference with a bill that has been changed and we have the problem of dealing with those things that have been rejected in the conference process.

With the caveat that we will do our best to resist those changes, I think at times it is difficult for us in the appropriations process to support mechanisms that the Armed Services Committee has negotiated but lost in conference when we can carry them into the appropriations process.

Mr. COHEN. Could I ask one further question?

Mr. STEVENS. Yes.

Mr. COHEN. Under that same area, assume the Armed Services Committee is silent with respect to a particular program, would the Appropriations Committee also feel bound not to add, to increase, or indeed appropriate dollars for something that was not specifically referred to either in accepting or rejecting the process of the armed service authorization?

Mr. STEVENS. Mr. President, I would say to the Senator, not necessarily. My mind goes back to the AIDS subject that I mentioned last evening, where, in the course of our committee hearings, we discovered that there was a serious problem that had not been looked into by the authorization committee and, within the amounts available in the authorization process, we could earmark funds to initiate a research project in AIDS through the Department of the Army.

I do not think we are talking about systems. I cannot remember us dealing with a major new initiative in terms of policy or systems. But we have earmarked funds within the authorization limitation for projects and initiatives that have not been addressed by the authorization.

However, I note that we did discuss this with the members of the authorization committee and intend to do so, in any event, in the future.

Mr. COHEN. I thank the Senator.

Mr. STEVENS. Mr. President, again I want to say we are not going to put the agreement in the Record. The agreement is between the two committees and I think it should remain as such. But this agreement makes a great deal of sense to me.

Mr. LEVIN. Mr. President, will my friend from Alaska yield for a question along the lines of the Senator from Maine?

Mr. STEVENS. Yes.

Mr. LEVIN. My understanding is we have agreed to the latter language which addressed the question of the Senator from Maine about what would happen where a policy matter was rejected during the defense process and that latter language has been agreed to and addresses the question raised by the Senator from Maine. I have that in front of me, so what you are looking around for, I am afraid I have. But is that correct, essentially?

Mr. STEVENS. The modification and the agreement has to be retyped. The Senator is right, this is trying to deal with a situation that the Armed Services Committee has rejected.

I might say, to make sure we understand one another, that at times we have run into in the appropriations process an initiative from the House which we did not know had been rejected by the Senate authorization committee and had been initiated by the House committee and rejected by the Senate committee in conference. We later got into conference with the House on the appropriations process and found out that we had funded an initiative of the House which had been turned down by the Senate. Those things are going to happen in the future and they are going to take understanding and better communications to avoid.

That is the basis of the agreement we have, better working relationships with our staff, better working relationships with the leadership of the committees and, above all, better communications between our committees and with the Senate over what is going on in the defense field.

I think it is really a new beginning of a better relationship between the two committees. I am pleased to be part of the process with my good friend from Arizona. I thank him for his consideration.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. NUNN. Mr. President, I will take just a moment. I think this is the best we could have done under very difficult circumstances. We all spoke of this earlier today. I expressed my view that we are going to have to find some long-term solutions to what amounts to a duplication of effort between two committees, both working hard, both sincere.

I do not think we have solved all of the long-term problems. I think we made a step in the right direction with this agreement that has been alluded to.

I certainly join the Senator from Alaska in paying tribute to the Senator from Mississippi for his stalwartness in trying to pursue a solution to this and for his patience. I think the Senator from Arizona and the Senator from Alaska worked many hours in trying to resolve this, as have staff.

Mr. STEVENS. Will the Senator yield right there?

Mr. NUNN. Yes.

Mr. STEVENS. I forgot my friend, the Senator from South Carolina, who has worked in the past years very hard on this matter, along with the Senator from Arizona and, in the absence of the Senator from Arizona, he was part of the long negotiations in 1985. We appreciate his efforts also.

Mr. NUNN. I join the Senator in that. The Senator from South Carolina was very diligent in pursuing this

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last year and has been an immense help in trying to work it out.

We still do not have a long-term solution nailed down. We have made steps in the right direction. There is good faith. I believe this is the best we can do.

I do have a question I would like to pose to the Senator from Alaska, and if the Senator from Oregon has any objections, I certainly would like to hear from him.

But we feel, since this is an authorizing amendment on an appropriations bill, it is a rather unique move. It is different from anything that I have seen here. We have, in effect, an authorizing committee coming in and authorizing on a supplemental appropriation bill money that has already been appropriated but could not be extended because of section 8109.

When we go to conference, when the Appropriations Committee goes to conference, I have no desire to take on additional duties. I have no desire to get involved in the Appropriation Committee's business. But on this authorizing legislation, the House will inevitably appoint the Armed Services Committee, because they have a separate authorizing bill, supplemental authorization for this particular unique set of circumstances. We had planned to be in conference with them on the authorizing bill, which is now pending, called the supplemental authorization. This supplemental authorization has now been folded into the appropriations bill.

So the question I will pose—and we have already discussed this—is that it seems to me that we have to assert our responsibilities to be a part of that conference on this amendment and matters pertaining thereto; that is, on the authorizing portion of this appropriation bill.

□ 0140

And we we have talked to the Senator from Alaska. It is my understanding—and the Senator can certainly correct this if it is in any way erroneous—that it would be acceptable to the Appropriations Committee for the Armed Services Committee to have an equal voice, and we would both have to concur in conference on those authorized items.

Again, we would not expect to be part of the appropriation deliberation but we would expect to be part of the conference in dealing with these authorizing items and in dealing with our counterparts from the House who I think would inevitably be appointed to this conference based on this set of circumstances.

Mr. HATFIELD. I will respond, if the question has been addressed to me, to the Senator from Georgia that I think it is a part of a package of compromises that the committee has worked on and come out with tonight. I support it on that basis. But because of the unusual character of this particular vehicle, I would like to make

sure that no one is taking this as a precedent relating to those authorizing matters that may be hung on to an appropriation bill.

I want to remind the Senate that we have had numerous authorizing actions asked for by the authorizing committee to utilize the appropriation vehicle in order to get their authorization. I am not going to take a long time to enumerate but as to the Energy Security Act of \$20 billion, and reauthorization from the Foreign Relations Committee of their foreign assistance bill, there was a request from the Judiciary Committee to enact the crime bill hanging it onto an appropriation bill. I want to make sure there is no precedent understood in this agreement here tonight any time we see fit to use the appropriation vehicle as an authorizing vehicle.

That does not automatically bring into the process the members of the authorizing committee to vote in the appropriation business.

Mr. GOLDWATER. Will the Senator yield?

Mr. HATFIELD. I am happy to yield.

Mr. GOLDWATER. There is no effort on our part to do what the Senator indicates. But I can assure the leader that other chairmen need not be reminded of the problem that we have that I have worked on for 4 or 5 years. It is a problem that has to be solved if the committee system of this Senate is going to prevail.

I will go so far as to say we will have to have rule changes before we get much further down the line. I hate to see the Senator's committee abused by anything that we have done. I would like to see it done in the right way, and change the rules so that we do not have to go through this process every year.

Mr. HATFIELD. I thank the Senator from Arizona. I wholeheartedly agree with his observation.

I hope that is the proper, understandable response I made to the Senator from Georgia on the question about this matter of a package of compromise, and the fact that it does not in itself establish a precedent.

Mr. NUNN. I would certainly agree with that. As a matter of fact, what we are attempting to do is never be in this situation again. That is the goal. The last thing I want to do is have another conference to attend. We are going to be in conference all summer long on several different items, either retirement or the main authorization bill. So I would say not only not a precedent but the whole purpose of this exercise is that we would hope that we can establish the kind of working relationship that would avoid this kind of conflict in the future.

I would like to emphasize, however, that my understanding is—and I hope I can get a response from the Senator from Alaska on this—on these matters that are within the scope of this amendment that has proposed by the

Senator from Arizona, that is the authorizing portions of this, there would be an equal voice between the Subcommittee on Appropriations and our authorizing committee.

Mr. STEVENS. The Senator from Georgia is right about our understanding. I am not sure he understands the process of the conference on a bill like this. The chairman of the full committee would designate each subcommittee of the Senate to meet with the subcommittee from the House on the same subject in order to try to get a recommendation to bring back to the full conference.

It is my understanding that our agreement is not only that you would be involved in the full conference but there will be representatives of the Armed Services Committee participating in negotiations with those on the subcommittee in the House on the subcommittee level as we make up the report to go full conference on this portion of the defense portion of the supplemental.

It is our understanding that the agreement we have reached in effect has withdrawn the Defense Appropriation Subcommittee's suggested solution, and replaced it with the solution from the Armed Services Committee which accomplishes the same result.

So we will look to the Senator to work with us in this supplemental process.

The PRESIDING OFFICER. Is there further debate?

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, under the circumstances I think what has been done here is the best arrangement. I want to take this opportunity to commend the able chairman, Senator GOLDWATER, and the able ranking member, Senator NUNN, and also to commend the able Senator from Alaska for their part in this. I want to express my appreciation, too, to the chairman of the Appropriations Committee, Senator HATFIELD, for his fine cooperation.

It took a lot of work, a lot of cooperation, and a lot of pulling together to get this thing done. If it had not been for their patience and the wisdom this would never have been accomplished. I feel what we have done is the best thing that could have happened here under the circumstances, and I think in the end it will prove fruitful.

Mr. BYRD. Mr. President, I rise to commend my distinguished colleagues who worked so hard to fashion this compromise amendment. Messrs. STEVENS, STEVENS, GOLDWATER, and NUNN especially deserve our thanks.

Mr. President, this compromise amendment provides that \$6 million be authorized for two projects at the Allegany Ballistics Laboratory. This facility is a Government-owned, con-

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tractor-operated facility located in West Virginia. The facility currently produces propulsion units for the Sparrow, Sidewinder, Chaparral, and Tow II missiles as well as the launch gas generators associated with the missiles loaded on Polaris, Poseidon, and Trident submarines. A number of Defense Department research and development programs are also conducted at the Allegany Ballistics Laboratory.

The compromise amendment provides for an authorization in the amount of \$3.5 million to rebuild a Government-owned building which was destroyed in an accidental explosion some years ago. The building was one of two propellant casting buildings used to manufacture rocket motors for the Sparrow, Sidewinder, Chaparral, and Tow II missiles.

Since the destruction of this facility, it has been necessary for Allegany Ballistics to rely exclusively on the one remaining propellant casting building. This has had an adverse impact on production and industrial mobilization potential.

Moreover, if the single remaining propellant casting building were to become inoperative, production would be virtually halted at the entire facility with concomitant adverse effects on our missile programs.

Reconstruction of this building would allow Allegany Ballistics to more efficiently support current and future contract requirements. This, in turn, would result in lower costs of rocket motors produced for the various Defense agencies.

Also, it should be noted that since this is a replacement facility, the design is essentially 100 percent complete, which is usually a consideration in these matters.

The compromise amendment also provides for an authorization in the amount of \$2.5 million to convert the existing oil-fired boiler facility at Allegany Ballistics Laboratory to a coal-fired boiler facility. This conversion would provide for reliable steam generation using local coal, thus eliminating dependence on unreliable sources of imported oil. Conversion of this facility would also provide a substantial cost savings. Departmental analyses indicate the converted facility would generate annual savings of approximately \$850,000. These savings would automatically be reflected in lower Defense Department costs for the Sparrow, Sidewinder, Chaparral, Tow II, and Trident Missile systems, as well as for other Defense Department work conducted at the facility.

In summary, Mr. President, the proposed compromise amendment would provide for a \$6 million authorization under "weapons industrial facilities" to reconstruct the propellant casting building which was destroyed in an explosion and convert an oil-fired steam generating boiler to a coal-fired steam boiler.

Funding for both of these projects was included in the defense chapter of

the fiscal year 1986 continuing resolution, Public Law 99-190, enacted December 19, 1985. The Defense Department is prepared to move ahead quickly on both of these projects at the Allegany Ballistics Laboratory, as soon as the required authorization is enacted.

Mr. President, this compromise amendment has been fashioned by the distinguished chairman (Mr. Goldwater) and the very able ranking minority member (Mr. Nunn) of the Committee on Armed Services and the distinguished chairman (Mr. Stevens) and ranking minority member (Mr. Stevens) of the Committee on Appropriations.

I note the presence on the floor of the distinguished ranking minority member of the Committee on Armed Services. Would he care to comment on my understanding regarding the status of Allegany Ballistics Laboratory?

Mr. NUNN. The statement of the distinguished minority leader is entirely correct. I thank him for his kind remarks.

Mr. BYRD. I thank the able Senator from Georgia.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 2023) was agreed to.

Mr. HATFIELD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The second excepted committee amendment, as amended, was agreed to.

Mr. DOMENICI, Mr. GORTON, and Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

## AMENDMENT NO. 2024

(Purpose: To return certain property to the City of Santa Fe, New Mexico)

Mr. DOMENICI. Mr. President, I have an unprinted amendment that I believe the managers are prepared to accept.

I send it to the desk, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from New Mexico (Mr. Domenici) proposes an amendment numbered 2024.

Mr. DOMENICI. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 74, immediately after line 25, add the following:

Sec. 212. The Administrator of General Services is authorized and directed to convey, for the sum of one dollar, to the City of Santa Fe, New Mexico, all right, title, and interest of the United States in the parcel of surplus property known as the Bruns Hospital Site, more specifically being the property designated with GSA Control Number for Disposal Purposes 7-G-NM-403, parcels F and H, consisting of approximately 4.37 acres, such property being a portion of the same property which the City of Santa Fe conveyed to the Department of the Army in 1944 for the amount of one dollar.

Mr. DOMENICI. Mr. President, this amendment directs the General Services Administration to convey 4.37 acres of land that is surplus in Santa Fe, NM to the city of Santa Fe. This was given to the Federal Government by the city of Santa Fe during the war. The military wanted it for a hospital, and paid \$1 for it. It is surplus now. Santa Fe has asked that it be returned to the city for use as a park.

The Federal Government originally obtained this property during World War II from the city for \$1, 6 months after the city bought it for \$50,000. Now that the property is no longer needed by the Federal Government, the city seeks the return of the property for use as open space and as a recreational area, and the Federal Government is willing to return it for \$222,500—quite a nice profit.

The property is known as the Bruns Hospital site. The property was originally part of a larger 237-acre parcel, which the city of Santa Fe obtained by eminent domain in 1944. The citizens of Santa Fe floated a bond issue to acquire the land, which cost \$50,000, and then, in effect, donated the entire property to the War Department for use as an Army hospital. The Bruns Army General Hospital was built on the site and was used for the balance of World War II. The Bruns name has continued to be applied to the site, although the hospital no longer exists at the site. The property has been broken into a number of smaller parcels with varying ownerships over the years, through donations, sales, and transfers to other Government agencies. None of the land, however, has been returned to the city.

The Federal Government no longer uses the 4.37 acre parcel which is the subject of this amendment. GSA has designated this property as surplus property.

Under the terms of the Federal Property and Administrative Services Act of 1949, GSA may convey surplus property to States, territories, possessions, and political subdivisions so long as GSA obtains fair market value and other satisfactory terms. Under this law, the city of Santa Fe would have to pay \$222,500 to regain a small portion of the land which they gave to the Federal Government for \$1 in 1944.

The property is adjacent to the city's General Franklin Miles Park.

than those for services at the graduate or postgraduate level, may limit the offering of such services or any group, category, or level of courses to a single academic institution. However, nothing in this section shall prohibit such actions taken in accordance with regulations of the Secretary of Defense which are uniform for all armed services as may be necessary to avoid unnecessary duplication of offerings, consistent with the purpose of this provision of ensuring the availability of alternative offerors of such services to the maximum extent feasible.

(c) This section shall apply to contracts entered into after April 1, 1985.

(d) Nothing in this section shall be construed to require more than one academic institution to be authorized to offer courses aboard a particular naval vessel.

(e)(1) The Comptroller General of the United States shall carry out a study to determine (A) the educational needs of members of the Armed Forces of the United States and civilian employees of the Department of Defense stationed outside the United States and the educational needs of the dependents of such members and employees, (B) the most effective and feasible means of meeting such needs, and (C) the cost of providing such means.

(2) Not later than September 1, 1986, the Comptroller General shall transmit to the Congress a report on the study required by subsection (1). The report shall include the Comptroller General's findings and such recommendations for legislation as the Comptroller General considers appropriate.

#### **PART B—PERSONNEL MANAGEMENT**

##### **SEC. 1221. COUNTERINTELLIGENCE POLYGRAPH PROGRAM**

(a) **IMPLEMENTATION OF PROGRAM.**—During fiscal years 1986 and 1987, the Secretary of Defense shall implement a program of counterintelligence polygraph examinations based upon Department of Defense Directive 5210.48, dated December 24, 1984, for military and civilian personnel of the Department of Defense and personnel of defense contractors whose duties involve access to classified information at the level of top secret or classified information within special access programs established under section 4.2(a) of Executive Order 12356.

(b) **LIMITATION DURING FISCAL YEARS 1986 AND 1987.**—The total number of persons required to take a counterintelligence polygraph examination under this section—

(1) may not exceed 3,500 during fiscal year 1986; and

(2) may not exceed 7,000 during fiscal year 1987.

(c) **REPORTS.**—(1) Not later than December 31, 1985, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on his plans to expand the use of polygraph examinations in the Department of Defense. Such report shall include a discussion of the Secretary's plans for recruiting and training additional polygraph operators.

(2) Not later than December 31, 1986, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the use of polygraph examinations ad-

ministered by or for the Department of Defense during fiscal year 1986. The report shall include—

(A) the number of polygraph examinations conducted during such fiscal year;

(B) a description of the purposes and results of such examinations;

(C) a description of the criteria used for selecting programs and individuals for examinations;

(D) the number of persons who refused to submit to an examination;

(E) a description of the actions taken, including denial of clearance or any adverse action, when an individual either failed or refused to take the examination;

(F) an explanation of the uses made of the results of the examinations; and

(G) a detailed accounting of those cases in which more than two examinations were needed to attempt to resolve discrepancies.

(d) **POLYGRAPH RESEARCH PROGRAM.**—(1) The Secretary of Defense shall carry out a continuing research program to support the polygraph activities of the Department of Defense. The program shall include—

(A) an on-going evaluation of the validity of polygraph techniques used by the Department;

(B) research on polygraph countermeasures and anti-countermeasures; and

(C) developmental research on polygraph techniques, instrumentation, and analytic methods.

(2) Not later than December 31 of each year, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a report on the results during the preceding fiscal year of the research program referred to in paragraph (1).

(3) There is authorized to be appropriated to the Department of Defense for fiscal year 1986 the sum of \$590,000 to carry out the research program referred to in paragraph (1).

(e) **NON-APPLICATION OF SECTION.**—This section does not apply—

(1) to an individual assigned or detailed to the Central Intelligence Agency or to any expert or consultant under a contract with the Central Intelligence Agency;

(2) to (A) an individual employed by or assigned or detailed to the National Security Agency, (B) an expert or consultant under contract to the National Security Agency, (C) an employee of a contractor of the National Security Agency, or (D) an individual applying for a position in the National Security Agency; or

(3) to an individual assigned to a space where sensitive cryptologic information is produced, processed, or stored.

##### **SEC. 1222. REDUCTION IN SECURITY CLEARANCE BACKLOG**

(a) **FINDING.**—The Congress finds that there are many persons with a security clearance at a level of top secret or above who have not been investigated for more than five years as a result of delays